

EXHIBIT 1

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

JAMEL BARNES, individually and on behalf
of all others similarly situated,

Plaintiff,

v.

ARYZTA, LLC, a Delaware corporation,

Defendant.

Case No. 1:17-cv-07358

Honorable Thomas M. Durkin

**DECLARATION OF BENJAMIN H. RICHMAN
IN SUPPORT OF PLAINTIFF'S MOTION FOR REMAND TO STATE COURT**

I, Benjamin H. Richman, pursuant to 28 U.S.C. § 1746, hereby declare as follows:

1. I am an attorney admitted to practice in the Northern District of Illinois. I am entering this declaration in support of Plaintiff's Motion for Remand to State Court. This declaration is based upon my personal knowledge, except where expressly noted otherwise. If called upon to testify as to the matters stated herein, I could and would competently do so.

2. I am Managing Partner of the Chicago office of Edelson PC, which has been retained to represent the named Plaintiff in this matter, Jamel Barnes.

3. As a direct result of Aryzta's and O'Hagan Meyer's removal of the case to this Court, several attorneys at my firm have collectively spent over 59 hours on these issues, for a total of \$18,799.70 in attorney time. The hours they have worked, as well as their years of experience and hourly rates, are summarized below:

Name	Years Experience	Hours Worked	Hourly Rates	Total
Todd Logan	3	13.00	\$270.00	\$3,510.00
Eli Wade-Scott	4	37.80	\$295.00	\$11,151.00
Sydney Janzen	2	4.10	\$270.00	\$1,107.00

Roger Perlstadt	16	2.27	\$610.00	\$1,384.70
Ryan Andrews	13	2.70	\$610.00	\$1,647.00
Total		59.87		\$18,799.70

4. In my opinion, this expenditure of time was reasonable. The firm made a conscious effort to avoid duplication of work, and the bulk of the work performed was done by attorneys with a lower per-hour rate. In fact, while other attorneys have incurred billable time as a result of this issue, their hours are not included in our calculation nor are we seeking reimbursement for their time spent on these issues. Additionally, because we represent Mr. Barnes on a contingency basis and are not being paid by the hour in this matter, we have every incentive to conduct our efforts efficiently.

5. It is the firm policy of Edelson PC that each attorney is responsible for keeping track of his or her billable time by *at least* the tenth of the hour in a billing management software program known as "FreshBooks." Attached as Exhibit 1-A to this Declaration is a true and accurate copy of the unadjusted billing records contained in Freshbooks for the time the firm spent on this matter related to the removal of this case to federal court.

I declare under penalty of perjury that the above and foregoing is true and accurate.
Executed on this 15th day of December 2017 at Chicago, Illinois.

/s/ Benjamin H. Richman
Benjamin H. Richman

EXHIBIT 1-A

Estimated Billing by Team

Edelson PC

Between January 01, 2010 and December 15, 2017

	Client	Project	Task	Notes	Hours	Billed	Estimated Billing
Andrews, Ryan							
12/13/17	Class Action Cases	Barnes v. Aryzta, LLC	Pleadings/Briefs/Pre-Trial Motions/Legal Research	review opposition to remand motion and notes on same	0.50		\$305.00 USD
12/13/17	Class Action Cases	Barnes v. Aryzta, LLC	Pleadings/Briefs/Pre-Trial Motions/Legal Research	review and edits to draft reply iso remand	1.80		\$1,098.00 USD
12/14/17	Class Action Cases	Barnes v. Aryzta, LLC	Pleadings/Briefs/Pre-Trial Motions/Legal Research	final edits to draft reply iso remand	0.40		\$244.00 USD
Total					2.70		\$1,647.00 USD
Janzen, Sydney							

11/02/17	Class Action Cases	Barnes v. Aryzta, LLC	Communications/Meetings/Court	emails w/ TL re reaching out to OC re remand	0.20		\$54.00 USD
11/02/17	Class Action Cases	Barnes v. Aryzta, LLC	Other	review Barnes MTD	1.20		\$324.00 USD
11/07/17	Class Action Cases	Barnes v. Aryzta, LLC	Communications/Meetings/Court	prepare for status tomorrow	1.00		\$270.00 USD
11/07/17	Class Action Cases	Barnes v. Aryzta, LLC	Other	appearance for status tomorrow	0.20		\$54.00 USD
11/08/17	Class Action Cases	Barnes v. Aryzta, LLC	Communications/Meetings/Court	status and travel to/from	1.50		\$405.00 USD
Total							USD
Logan, Todd							
11/01/17	Class Action Cases	Barnes v. Aryzta, LLC	Legal Research	Analyzing def's MTD	1.75		\$472.50 USD
11/02/17	Class Action Cases	Barnes v. Aryzta, LLC	Communications/Meetings/Court	Drafting and editing email to opposing counsel proposing remand (and citing Mocek)	0.75		\$202.50 USD
11/02/17	Class Action Cases	Barnes v. Aryzta, LLC	Legal Research	Ini ial research of removal and remand issues	2.25		\$607.50 USD
11/02/17	Class Action Cases	Barnes v. Aryzta, LLC	Legal Research	Ini ial research of fee issues	1.50		\$405.00 USD
11/02/17	Class Action Cases	Barnes v. Aryzta, LLC	Pleadings/Briefs/Pre-Trial Motions/Legal Research	Drafting proposed stipulated remand	0.75		\$202.50 USD
11/07/17	Class Action Cases	Barnes v. Aryzta, LLC	Communications/Meetings/Court	Drafting (and editing) email to opposing counsel re: effect of amended MTD on remand and fee issues.	0.75		\$202.50 USD
11/07/17	Class Action Cases	Barnes v. Aryzta, LLC	Legal Research	Reviewing amended MTD	1.50		\$405.00 USD

[illegible]

[illegible]

	Client	Project	Task	Notes	Hours	Billed	Estimated Billing
11/21/17	Class Action Cases	Barnes v. Aryzta, LLC	Communications/Meetings/Court	Met w Ryan to discuss mot	0.10		<u>\$29.50</u> USD

11/21/17	Class Action Cases	Barnes v. Aryzta, LLC	Legal Research	Rev. out of district authority	0.20		<u>\$59.00</u> USD
11/21/17	Class Action Cases	Barnes v. Aryzta, LLC	Legal Research	Discuss brief with JE and RA	0.10		<u>\$29.50</u> USD
11/21/17	Class Action Cases	Barnes v. Aryzta, LLC	Pleadings/Briefs/Pre-Trial Motions/Legal Research	Discuss edits with Roger (.1), add'l research related to brief (.5), revise draft (.9)	1.50		<u>\$442.50</u> USD
11/21/17	Class Action Cases	Barnes v. Aryzta, LLC	Pleadings/Briefs/Pre-Trial Motions/Legal Research	Final citation check and proof of mot to remand (1.1), discuss with Roger and Ryan (.2)	1.30		<u>\$383.50</u> USD
11/21/17	Class Action Cases	Barnes v. Aryzta, LLC	Pleadings/Briefs/Pre-Trial Motions/Legal Research	Drafting supporting affidavits	0.70		<u>\$206.50</u> USD
11/21/17	Class Action Cases	Barnes v. Aryzta, LLC	Pleadings/Briefs/Pre-Trial Motions/Legal Research	Rev. mot. (1.6); Discussion with RA and RP re: fees (.2);	1.80		<u>\$531.00</u> USD
11/21/17	Class Action Cases	Barnes v. Aryzta, LLC	Pleadings/Briefs/Pre-Trial Motions/Legal Research	Final revisions, sent mot to Jay	0.10		<u>\$29.50</u> USD
11/21/17	Class Action Cases	Barnes v. Aryzta, LLC	Pleadings/Briefs/Pre-Trial Motions/Legal Research	Revising Logan decl + mot form	0.20		<u>\$59.00</u> USD
11/21/17	Class Action Cases	Barnes v. Aryzta, LLC	Pleadings/Briefs/Pre-Trial Motions/Legal Research	Finished drafting Logan decl and sent to Logan (.1), rev'd Durkin standing orders and made list for filing (.2), rev'd mot and notice form (.1)	0.40		<u>\$118.00</u> USD
11/22/17	Class Action Cases	Barnes v. Aryzta, LLC	Other	Rev answer (.1), rev. standing order and amend deadlines (.3)	0.40		<u>\$118.00</u> USD
11/22/17	Class Action Cases	Barnes v. Aryzta, LLC	Pleadings/Briefs/Pre-Trial Motions/Legal Research	Finalizing Logan decl	0.90		<u>\$265.50</u> USD
11/22/17	Class Action Cases	Barnes v. Aryzta, LLC	Pleadings/Briefs/Pre-Trial Motions/Legal Research	Finalizing motion to remand (1.8), discuss notice procedures with Roger (.1)	1.90		<u>\$560.50</u> USD
11/22/17	Class Action Cases	Barnes v. Aryzta, LLC	Pleadings/Briefs/Pre-Trial Motions/Legal Research	Final proof mot to remand	0.70		<u>\$206.50</u> USD
11/22/17	Class Action Cases	Barnes v. Aryzta, LLC	Pleadings/Briefs/Pre-Trial Motions/Legal Research	Ano her round of final proofs w Jess	0.30		<u>\$88.50</u> USD

12/11/17	Class Action Cases	Barnes v. Aryzta, LLC	Pleadings/Briefs/Pre-Trial Motions/Legal Research	Mot to remand reply	0.70		<u>\$206.50</u> USD
12/12/17	Class Action Cases	Barnes v. Aryzta, LLC	Pleadings/Briefs/Pre-Trial Motions/Legal Research	Mot to remand reply	0.50		<u>\$147.50</u> USD

	Client	Project	Task	Notes	Hours	Billed	Estimated Billing
12/12/17	Class Action Cases	Barnes v. Aryzta, LLC	Pleadings/Briefs/Pre-Trial Motions/Legal Research	Drafting reply to mot to remand	1.84		<u>\$542.80</u> USD
12/12/17	Class Action Cases	Barnes v. Aryzta, LLC	Pleadings/Briefs/Pre-Trial Motions/Legal Research	Remand reply br	0.70		<u>\$206.50</u> USD
12/12/17	Class Action Cases	Barnes v. Aryzta, LLC	Pleadings/Briefs/Pre-Trial Motions/Legal Research	Mot for remand reply	0.81		<u>\$238.95</u> USD
12/12/17	Class Action Cases	Barnes v. Aryzta, LLC	Pleadings/Briefs/Pre-Trial Motions/Legal Research	Mot to remand reply	0.25		<u>\$73.75</u> USD

12/13/17	Class Action Cases	Barnes v. Aryzta, LLC	Pleadings/Briefs/Pre-Trial Motions/Legal Research	Mot to remand reply draft	2.10		<u>\$619.50</u> USD

12/13/17	Class Action Cases	Barnes v. Aryzta, LLC	Pleadings/Briefs/Pre-Trial Motions/Legal Research	Reply revision	0.30		<u>\$88.50</u> USD
12/13/17	Class Action Cases	Barnes v. Aryzta, LLC	Pleadings/Briefs/Pre-Trial Motions/Legal Research	Mot to remand reply drafting	1.80		<u>\$531.00</u> USD

12/14/17	Class Action Cases	Barnes v. Aryzta, LLC	Pleadings/Briefs/Pre-Trial Motions/Legal Research	Completing reply draft (.5), revise decl (.2)	0.70		<u>\$206.50</u> USD
12/14/17	Class Action Cases	Barnes v. Aryzta, LLC	Pleadings/Briefs/Pre-Trial Motions/Legal Research	Revise decl. (.4); revise mot and cite check (1.1)	1.50		<u>\$442.50</u> USD
Total							USD

Client	Project	Task	Notes	Hours	Billed	Estimated Billing

ALL TOTAL				113.46		\$33,493.05 USD